

ASSEMBLY BILL

No. 1709

**Introduced by Committee on Labor and Employment (Swanson
(Chair), DeSaulnier, Galgiani, Laird, Leno, and Ruskin)**

February 28, 2007

An act to add Section 90.6 to the Labor Code, relating to labor law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1709, as introduced, Committee on Labor and Employment. Economic and Employment Enforcement Coalition.

Existing law establishes the Economic and Employment Enforcement Coalition, a multiagency labor law enforcement unit, which is comprised of the Division of Labor Standards Enforcement and the Division of Occupational Safety and Health within the Department of Industrial Relations, the Employment Development Department, and the Contractors' State License Board.

This bill would require the Labor and Workforce Development Agency to submit a report to the Legislature by March 1 of each year describing the overall effectiveness of the coalition and quantifying the results of the coalition's enforcement activities, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 90.6 is added to the Labor Code, to read:
- 2 90.6. The Labor and Workforce Development Agency shall
- 3 annually, not later than March 1, submit a report to the Legislature

1 describing the effectiveness of the Economic and Employment
2 Enforcement Coalition, created by Item 7350-001-0913 of Section
3 2.00 of Chapter 38 of the Statutes of 2005. The report shall include,
4 but not be limited to, all of the following:

5 (a) For each targeted industry investigated by the coalition:

6 (1) The number of establishments investigated.

7 (2) The number of investigations in which an audit of wages
8 was conducted and the number of individual worker cases that
9 were audited.

10 (3) The number and types of violations found, including, but
11 not limited to, the number of minimum wage and overtime
12 violations found, the number of meal and rest period violations
13 found, and the number of workplace health and safety violations
14 found.

15 (4) The amount of wages found to be unlawfully withheld from
16 workers and the type of wages withheld, such as wages that were
17 regularly earned but unpaid, minimum wages, or overtime wages.

18 (5) The amount of unpaid wages recovered for workers, the
19 type of wages recovered, and the manner in which those wages
20 were recovered, such as whether the wages were recovered through
21 a voluntary settlement or a formal adjudication.

22 (6) The number of workers who recovered unpaid wages.

23 (7) The number of complaints for retaliation that were filed by
24 workers in the six months following a coalition investigation and
25 the results of the investigation of those complaints.

26 (8) The number and type of cases referred by the coalition for
27 criminal prosecution.

28 (b) An explanation of the performance measures or other
29 effectiveness criteria employed by the coalition.

30 (c) An evaluation of the effectiveness of the coalition utilizing
31 the performance measures or other effectiveness criteria employed
32 by the coalition.